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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,858	08/08/2001	Lee R. Dischert	MATP-608US	2945
23122	7590	07/28/2005	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			NATNAEL, PAULOS M	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/924,858

Applicant(s)

DISCHERT ET AL.

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 15 and 16 is/are allowed.
- 6) ☒ Claim(s) 12-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **12-14** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Ludwig et al. U.S. Pat. # 6,816,904.

Considering claim **12**, receiving a command from the remote control transmitter, generating a control request signal, responsive to the received command, and sending the control request to the computer via the control I/O port; responsive to the control request signal, receiving a select signal from the computer via the control I/O port; directing data signals from one of the remote control transmitter and the keyboard to the data input port of the computer, responsive to the received select signal.

Claim 12 is clearly anticipated by Ludwig et al. where user(s) using wireless or wired keyboard send commands to the desktop computer to search

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for specific data in a remote server. In return, the desktop computer sends the request signal to the remote server, which may be another desktop computer or a mainframe database computer such as the AVSS 100. The latter would send back to the desktop or a workstation PC a web page or other such data for the desktop to select from. Finally, the user would send back a response either a data signal or selection signal to the remote server via the keyboard and the desktop in order to obtain the desired data. Specifically, Ludwig et al disclose "The AVSS 100 comprises a repository for A/V file storage and processing resources, to which application programs executing on premises, campus, and/or remote CMCE elements have shared access. In the present invention, application programs initiate or generate service requests directed to the AVSS 100 in response to user actions. Such application programs may be executing on premises, campus, or remote workstations 40, as well as computers coupled to an enterprise intranet or the public internet. Service requests comprise an appeal for either a) A/V resource or service allocation; or b) AN resource or service state information. The AVSS 100 receives the service requests via the data network 20, and establishes message-based service sessions with the A/V network 30, workstations 40, supporting servers 50, 60, 70, and/or one or more campus-based or remote CMCE elements to provide A/V and/or multimedia services in accordance with such requests. Messages generated during a service session may comprise state information, control commands, and confirmations. The structure and functionality of the AVSS 100, and the manners

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in which the AVSS 100 processes service requests and generates messages, are described in detail thereafter. " (col. 12, lines 8-30)

As to the newly added limitations, Ludwig discloses "The present invention supports both real-time (or near real-time) and delayed AN signal exchange or distribution on a local and/or remote basis. In the context of real-time A/V signal distribution via currently-available networking technologies, analog premises networking provides, for the foreseeable future, higher video quality and real-time performance at a lower cost than digital premises networking. In the embodiment shown in FIG. 3, the CMCE 10 relies upon the data network 20 to facilitate the exchange of digital information between CMCE elements, and the A/V network 30 to facilitate analog signal exchange. Thus, the analog signal premises distribution network shown in FIG. 3 provides a low-cost CMCE implementation capable of delivering high-quality A/V signals (i.e., NTSC television-quality video at 640.times.480 pixels or similar standard television resolution, plus 7-15 kHz high-fidelity audio) in real-time. This embodiment additionally ensures that real-time A/V signal distribution has essentially no impact upon local data network loading. As described in detail below, alternate CMCE embodiments could rely upon a single physical network that utilizes any of a variety of suitable analog and/or digital multiplexing scheme: these will become increasingly important over time as suggested by the time evolution of the curves in FIG. 2." See col. 7, line 66 thru col. 8, line 22. [emphasis added]

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Considering claim 13, the claimed further including the step of prioritizing the control request signal with input signals received by the computer from the keyboard to generate the select signal, is inherent in computers because one of the main tasks that computers perform is prioritizing a task, i.e., determining which step to perform first according the program software or input data to the computer.

Considering claim 14, the claimed wherein the prioritizing step generates the select signal only when the computer has not received signals from the keyboard fro a predetermined interval.

Regarding claim 14, see rejection of claim 13;

### ***Response to Arguments***

Applicant's arguments with respect to claims 12-14 have been considered but are unpersuasive. Ludwig teaches that the claimed limitations because *the analog signal premises distribution network shown in FIG. 3 provides a low-cost CMCE implementation capable of delivering high-quality A/V signals (i.e., NTSC television-quality video at 640.times.480 pixels or similar standard television resolution, plus 7-15 kHz high-fidelity audio) in real-time*. See rejection of claim 12.

### ***Allowable Subject Matter***

3. Claims 1-11 and 15,16 are allowable over the prior art.

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4. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose a system for providing audio and video information from a second location to a first location and for controlling said audio and video information from the first location, comprising a computer, in the second location, including a data input port, responsive to operational commands to controllably provide video information; a television monitor, in the first location, coupled to the computer for selectively displaying the provided video information; a local keyboard, in the second location, for providing first ones of a remote control transmitter in the first location for communicating command and control signals; a remote control receiver, in the first location, for receiving and decoding the command and control signals from the remote control transmitter and providing second ones of the operational commands; and an input select switch, in the second location, having first and second input ports and a data output port, the first input port being coupled to the remote control receiver, the second input port being coupled to the local keyboard and the data output port being coupled to the data input port of the computer to provide either the first ones of the operational commands or the second ones of the operational commands to the data input port of the computer, as in claim 1;

a system for providing audio and video signals from a second location to a first location and for controlling the audio and video signals from the first location, comprising a computer, in the second location, coupled for controllably a television monitor, in the first location, coupled to the computer for selectively

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displaying the video output signals provided thereby; a local keyboard, in the second location; a remote control transmitter in the first location for communicating command and control signals;

a remote control receiver, in the first location, for receiving and decoding transmissions from the remote control transmitter; and an input select switch, in the second location, having a first and second input port and a first and second output port, the first input port being coupled to the remote control receiver and the second input port being coupled to the local keyboard wherein the first output port and the second output port are coupled to the computer; an alternate video source, in the second location, coupled to the computer for receiving a selection signal from the computer; and

a video switch matrix, in the second location, having first second input ports, an output port and an enable port wherein the first input port is coupled to the computer for receiving a computer video signal, and the second input port is coupled to the alternate video source for receiving the alternate video source video signal and the enable port is coupled to the input select switch to selectively couple the video signal applied to the first input port or the video signal applied to the second input port to the output port, as in claim 15.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael  
Primary Examiner  
Art Unit 2614

July 25, 2005